

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:
TELENOR MOBILE COMMUNICATIONS AS,	:
	:
Petitioner,	:
	:
-against-	:
	:
STORM LLC,	:
	:
Respondent.	:
-----X	

07 Civ. 6929 (GEL)

ECF Case

DECLARATION OF PIETER VAN TOL

I, Pieter Van Tol, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a partner at Lovells LLP, attorneys for Respondent Storm LLC ("Storm") in the above-captioned proceeding. I am a member in good standing of the Bar of the State of New York and of this Court.

2. I submit this declaration in support of Storm's Motion for Stay Pending Appeal or Temporary Stay, and in order to put relevant documents before the Court.

3. Attached hereto as Exhibit A is a true and correct copy of the Tribunal's Final Award (the "Award") in the Arbitration between Telenor Mobile and Storm. The Award is dated July 2, 2007 but was not issued until August 1, 2007.

4. Attached hereto as Exhibit B are true and correct copies of the original Ukrainian versions and English translations of the December 1, 2006 Ruling from the Golosiyiv District Court of the City of Kyiv and the related Resolutions on Initiation of Enforcement Proceedings,

dated December 4, 2006; and the related Demands from the State Enforcement Service of the Ministry of Justice of Ukraine, dated December 5, 2006.

5. Attached hereto as Exhibit C is a true and correct copy of the Transcript of the December 18, 2006 hearing before the Arbitration Tribunal.

6. Attached hereto as Exhibit D is a true and correct copy of Kyivstar G.S.M. JSC's *Condensed Consolidated Statements of Income and Comprehensive Income for the nine months Ended September 30, 2006 and 2005 and for the year ended December 31, 2005*, available at http://www.kyivstar.net/f/1/about/partners/2006_Q3_en.pdf.

7. Attached hereto as Exhibit E is a true and correct copy of a press release by Telenor AS, dated October 25, 2007, *Third Quarter 2007: Continued High Underlying Growth*, available at http://press.telenor.com/PR/200710/1162641_5.html.

8. Attached hereto as Exhibit F is a true and correct copy of Storm's Statement of Defense, submitted on May 30, 2006, with exhibits thereto.

9. Attached hereto as Exhibit G is a true and correct copy of Storm's Motion to Dismiss, submitted on June 5, 2006, with exhibits thereto.

10. Attached hereto as Exhibit H is a true and correct copy of the Affidavit of Vadim Klymenko, submitted by Storm on August 9, 2006, with exhibits thereto. Appended thereto is a correction to the Affidavit, submitted by Storm on August 13, 2006.

11. Attached hereto as Exhibit I is a true and correct copy of the Affidavit of Andrei Kosogov, submitted by Storm on August 31, 2006.

12. Attached hereto as Exhibit J is a true and correct copy of the Legal Opinion by Lyubov Logush, submitted by Storm on July 28, 2006.

13. Attached hereto as Exhibit K is a true and correct copy of Storm's Proposed Findings of Fact and Conclusions of Law, submitted on September 12, 2006.

14. Attached hereto as Exhibit L is a true and correct copy of the original Ukrainian version and an English translation of the Clarification Order of the Kyiv Appellate Commercial Court, dated November 8, 2006.

15. Attached hereto as Exhibit M is a true and correct copy of the Transcript of the September 5, 2006 hearing before the Arbitration Tribunal.

16. Attached hereto as Exhibit N is a true and correct copy of the Declaration of Anna-Marta Khomyak in Support of Storm's Motion to Dismiss for Lack of Jurisdiction, submitted by Storm on August 9, 2006, with exhibits thereto.

17. Attached hereto as Exhibit O is a true and correct copy of Storm's Pre-Hearing Brief, submitted on August 31, 2006, with exhibits thereto.

18. Attached hereto as Exhibit P is a true and correct copy of the Transcript of the November 15, 2006 hearing before Hon. Gerard E. Lynch in the Southern District of New York.

19. Attached hereto as Exhibit Q is a true and correct copy of the original Ukrainian version and an English translation of the Application for a Clarification Order, submitted to the Kyiv Appellate Commercial Court on October 26, 2006.

20. Attached hereto as Exhibit R is a true and correct copy of the Supplemental Legal Opinion by Lyubov Logush, submitted by Storm on August 9, 2006, with exhibits thereto.

21. Attached hereto as Exhibit S is a true and correct copy of the Transcript of the November 22, 2006 hearing before Hon. Gerard E. Lynch in the Southern District of New York.

22. Attached hereto as Exhibit T is a true and correct copy of the Transcript of the August 14, 2006 hearing before the Arbitration Tribunal.

23. Attached hereto as Exhibit U is a true and correct copy of the Transcript of the June 29, 2006 hearing before the Arbitration Tribunal.

24. Attached hereto as Exhibit V is a true and correct copy of the letter sent by Pieter Van Tol to the Arbitration Tribunal on March 14, 2007, responding to the Tribunal's Interim Order Directing Further Briefing.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 15, 2007 at New York, New York.

A handwritten signature in cursive script, reading "Pieter Van Tol".

Pieter Van Tol (PVT-2455)